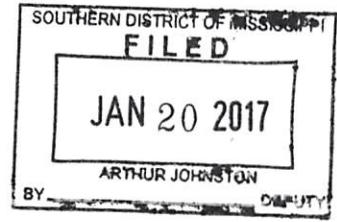


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION



BARBARA A. CROWELL

PLAINTIFF

vs.

CAUSE NO.: 3:17-cv-45 HTW-LRA

DR. MARK C. WEBB

DEFENDANT

COMPLAINT

(JURY TRIAL DEMANDED)

COMES NOW, Plaintiff Barbara A. Crowell and for Complaint against Dr. Mark C. Webb states as follows:

PARTIES

1. Barbara A. Crowell is an adult resident citizen of the State of Louisiana.
2. Dr. Mark C. Webb is an adult resident citizen of the State of Mississippi who may be served with process herein at his office located at Mississippi Neuropsychiatric Clinic, 576 Highland Colony Parkway, Suite 100, Ridgeland, Mississippi 39157.

JURISDICTION AND VENUE

3. This Court has jurisdiction of this cause pursuant to 28 U.S.C. §1332 et seq. as this is a suit between parties who are residents of different states and the amount in controversy exceeds \$75,000.00 exclusive of interest and costs. Venue in this Court is proper as the acts and omissions made the basis of this suit occurred in Madison County, Mississippi.

FACTS

4. Plaintiff Barbara Crowell was for many years a patient of Defendant Dr. Mark Webb who is a practicing psychiatrist and medical doctor.
5. Dr. Mark Webb owed Plaintiff Barbara Crowell a duty to treat her within accepted

standards of care in the field of psychiatry.

6. Defendant's treatment of Plaintiff Barbara Crowell included prescription of the drug lithium.

7. The applicable standard of care in the field of psychiatry and medicine generally requires that a patient being actively treated with lithium be checked annually to determine whether the lithium levels in the patient's body are within acceptable limits.

8. Defendant appropriately ordered tests to determine Plaintiff's lithium level for several years when he first began treating her with lithium.

9. Beginning in or about the year 2009 Defendant did not order the appropriate test of Plaintiff's lithium level which was a breach of the standard of care.

10. Defendant continued to treat Plaintiff until 2015 when she moved to the New Orleans, Louisiana area.

11. Defendant did not order regular tests of Plaintiff's lithium level for a period of years prior to her moving to New Orleans.

12. Prior to the time at which Plaintiff ceased being Defendant's patient she began complaining of various symptoms which can be caused by an excess level of lithium.

13. Dr. Mark Webb knew that Plaintiff had signs and symptoms which can be caused by excessive lithium in the blood, but he did not order her lithium level to be tested.

14. Plaintiff has no medical training and did not realize that the aforesaid signs and symptoms could be caused by excessive lithium in the blood.

15. After Plaintiff moved to the New Orleans area she began treatment by other physicians who appropriately recognized that she was experiencing signs and symptoms which could

be caused by excessive lithium levels. Those physicians ordered tests which determined that Plaintiff was suffering from excessive levels of lithium.

16. Plaintiff could not reasonably have discovered the negligence and breach of the standard of care by Dr. Mark Webb until she was told by physicians that she was suffering from lithium poisoning.

17. The discovery by Plaintiff of Defendant's negligence and breach of the standard of care occurred less than two years prior to Plaintiff's Notice to Defendant of this claim and the filing of this suit.

18. Plaintiff notified Defendant of this claim by letter dated November 15, 2016, a copy of which is attached hereto as Exhibit "A", and more than sixty days has elapsed since the Notice of Claim and therefore this suit may be filed pursuant to Mississippi law.

19. Defendant Dr. Mark Webb is liable to Plaintiff for all damages she suffered as a result of the aforesaid breach of the standard of care by Defendant.

### **DAMAGES**

20. As a result of the aforesaid negligence and breach of the standard of care by Dr. Mark Webb Plaintiff Barbara Crowell suffered the following damages:

- a. physical pain and suffering;
- b. mental and emotional distress and anguish;
- c. additional medical expenses;
- d. loss of income; and
- e. any and all other elements of damages which may be proven at trial.

WHEREFORE Plaintiff Barbara A. Crowell prays that this suit be filed and that upon due

proceedings herein, including trial by jury, there be judgment in her favor and against Dr. Mark C. Webb for an amount sufficient to compensate her for all damages and injuries sustained as a result of the negligence and breach of the standard of care by Dr. Mark C. Webb, which said amount exceeds \$75,000.00 exclusive of interest and costs, and Plaintiff further prays that Defendant be ordered to pay all costs of this Court and for such other relief to which she entitled by law.

RESPECTFULLY SUBMITTED this the 17 day of January, 2017.

**BARBARA A. CROWELL, Plaintiff**

By: Carey R. Varnado  
CAREY R. VARNADO (MSB # 6593)

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